

ADA vs IDEA

American with Disabilities Act vs Individuals with Disabilities Education Act:

ADA: Transition is not a mandated service for students served only through 504; 504 does protect the rights of persons with disabilities in programs that receive federal financial assistance (secondary and post secondary schools).

This law is for ALL people with disabilities. It insures ACCESS, not SUCCESS. Student/worker must ask for accommodations.

For those students who do not need or do not qualify for special education, this law can provide safeguards and support for reasonable accommodation for the student to be successful in the school setting. Reasonable accommodations include: altered test schedules and settings, therapies, support for medical issues, modifications on federally purchased equipment.

IDEA

Individual Education Plans must include transition service plans by age 14; IEP must include specific transition services based on need by age 16. These services can include:

- instruction
- community experiences
- development of employment and other post-secondary adult living skills
- functional vocational assessment
- IEP must address legal rights and responsibilities or guardianship at age of majority (age 18)
- School nurses can promote inclusion of health competencies

Vocational Rehabilitation

A student is eligible for VR if he/she meets the following criteria:

- 1) has a physical or mental impairment which constitutes or results in a substantial impediment to employment (States with an order of selection like KY serve the most severely disabled first. Others may only get information and referral).
- 2) can benefit from VR services in terms of an employment outcome and
- 3) requires VR services to prepare for, enter, engage in or retain gainful employment
- 4) SSI childhood recipients are referred by SSA to VR at age 16
- 5) larger high schools have VR Counselors

Services include:

- Assessment
- Assistive technology equipment
- Funding for supplies
- Job placement/coaching
- Vocational training or post secondary education (tuition payments)
- Limited personal assistance
- Car/van conversion
- Pay for transportation